

AUG 06 2002 15:40 FR HERRICK FEINSTEIN LLP 274 2500 TO #0799,1212294470 P.03/04

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MEMO ENDORSED

July 29, 2002

BY FACSIMILE

Honorable John G. Koeltl
United States District Judge
United States District Court - S.D.N.Y.
500 Pearl Street - Room 1030
New York, New York 10007

Re: Base Metal Trading, S.A. et al. v. Russian Aluminum et al.
Docket No. 00 Civ. 9627 (JGK)

Dear Judge Koeltl:

*Application for additional discovery
is denied. The requested discovery is
plainly overbroad, not limited to the
issues of the current motions, and
unnecessary to the disposition of the
current motions.*

SO ordered.

8/5/02 JGK

This firm represents the GOK Plaintiffs in the above-referenced matter.

As the attached letter indicates, on June 26, 2002, we requested limited relief from the current stay of discovery to obtain documents concerning disclosures by defendants in securities offerings or credit transactions that Russian courts are corrupt and that foreign litigants cannot be assured that they will obtain a just resolution of their claims in Russia. On June 28, 2002, Defendants submitted their response to Plaintiffs' application. (A copy of Defendants' response is attached).

We would be grateful if Your Honor would advise us of the status of Plaintiffs' application, as Plaintiffs' response to Defendants' motions to dismiss is due August 23, 2002, and the information sought in our June 26, 2002 letter is directly relevant to the forum non conveniens and comity arguments raised by Defendants.

Respectfully submitted,

David M. Meisels

David M. Meisels

Attachments

cc: Jamie Bernard, Esq. (via fax)

07/29/02 MON 16:03 [TX/RX NO 8021] @002

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CHAMBERS OF JUDGE KOELTL

08/06/02 TUE 12:38 FAX 212 805 7912

AUG 06 2002 15:40 FR HERRICK FEINSTEIN LLP3 274 2500 TO #0799,1212294470 P.04/04

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HPNWX1: #33144 v.1 #06161-0001

07/28/02 MON 16:03 [TX/RX NO 0021] 0003

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